

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed September 2, 2005. Upon entry of the amendments in this response, claims 1, 4, 7, 8, 10 – 12, 14 and 16 – 18 remain pending. In particular, Applicants have amended claims 1, 4, 7, 8, 10 – 12 and 18, and have canceled claims 2, 3, 5, 6, 9, 13, 15 and 19 - 26 without prejudice, waiver, or disclaimer. Applicants have canceled claims 2, 3, 5, 6, 9, 13, 15 and 19 - 26 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Rejections Under 35 U.S.C. §102**

The Office Action indicates that claims 1 - 26 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Lobiondo*. As set forth above, Applicants have canceled claims 2, 3, 5, 6, 9, 13, 15 and 19 – 26 and respectfully assert that the rejections as to these claims have been rendered moot. With respect to the remaining claims, Applicants respectfully traverse the rejections.

In this regard, *Lobiondo* involves a system and method for distributing print jobs among various printers. In particular, *Lobiondo* discloses:

An example of automatic print job distribution is shown in FIG. 4. A user inputs a job to a network printer (step 410). Print server 60 and scheduler 50 determine the job length (step 420) based on the number of copies, the particular machine, printing parameters such as simplex or duplex, etc. The scheduler 50 then examines the printer queue (step 430) and determines if the printer can complete the job by the required time (step 440). If the job can be completed on time the job is allocated to the printer (step 450). The user is then informed of the job schedule (step 460). If the printer cannot complete the job by the required time, the amount of the job that can be completed on time

is determined (step 415). This preferably is done in complete sets so that partial sets are not split up among plural printers which could cause collation problems during assembly of the job. ***That portion of the job that can be completed by the printer is allocated (step 425). The unallocated portion of the job is then broken off from the allocated portion (step 435). The scheduler 50 then checks for any available printers (step 445). If no other printers are available, the scheduler 50 informs the user that the job cannot be completed on time (step 455). If another printer is available, it is selected and the unallocated portion is allocated to this available printer (step 465).*** The process then repeats by reverting to step 420, where the job length of the remaining job portion is determined.

(*Lobiondo* at column 6, line 50 to column 7, line 9). (Emphasis added).

As shown in the exemplary teaching of *Lobiondo* above, such a system involves a scheduler 50 that allocates print jobs directly to the printers selected for printing. This is in direct contrast to the features recited in Applicants' amended claims.

In this regard, Applicants have amended claim 1 to recite:

1. A method for balancing printing request loads, comprising:
  - receiving printing requests at a primary destination from multiple sources;
  - generating a print queue, at the primary destination, corresponding to the multiple printing requests;
  - determining that the primary destination should not process all of the multiple printing requests of the print queue;
  - selecting a secondary destination to process at least one of the multiple printing requests;
  - transmitting data corresponding to the print queue from the primary destination to the secondary destination such that the secondary destination is enabled to process at least one of the multiple printing requests of the print queue; and***
  - transmitting information corresponding to the secondary destination to the sources corresponding to the printing requests that are to be processed by the secondary destination such that those sources send data corresponding to those printing requests to the secondary destination to facilitate printing.***

(Emphasis added).

Applicants respectfully assert that *Lobiondo* is legally deficient for the purpose of anticipating claim 1. In particular, Applicants respectfully assert that *Lobiondo* does not teach or otherwise disclose at least the features/limitations emphasized above in claim 1. In particular, *Lobiondo* clearly involves sending information from the scheduler 50 to a printer,

in contrast to the source sending data that is to be printed to the secondary destination.

Therefore, Applicant respectfully asserts that claim 1 is in condition for allowance.

Since claims 4, 7, 8, 10 – 12 and 14 are dependent claims that incorporate all the features/limitations of claim 1, Applicant respectfully asserts that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

With respect to claim 16, Applicants have amended that claim to recite:

10. A system for load-balancing comprising:
  - a primary print server configured to:
    - receive printing request data corresponding to a printing request responsive to a user input; and
    - determine if the primary print server is able to process the printing request data such that if the primary printer server is not to process the printing request data, the print server:
      - communicatively couples with a secondary print server;
      - transmits print queue data to the secondary print server;*** and
      - transmits secondary print destination data to the source of the printing request data indicating that the source is to transmit the information corresponding to the print task automatically to the secondary print server such that the second print server facilitates processing of the printing request based on the print queue data.***

(Emphasis added).

Applicants respectfully assert that *Lobiondo* is legally deficient for the purpose of anticipating claim 16. In particular, Applicants respectfully assert that *Lobiondo* does not teach or otherwise disclose at least the features/limitations emphasized above in claim 16. In particular, *Lobiondo* clearly involves sending information from the scheduler 50 to a printer, in contrast to the source sending the data that is to be printed to the secondary destination. Therefore, Applicant respectfully asserts that claim 16 is in condition for allowance.

Since claim 17 is a dependent claim that incorporates all the features/limitations of claim 16, Applicant respectfully asserts that this claim also is in condition for allowance.

Additionally, this claim recites other features/limitations that can serve as an independent basis for patentability.

With respect to claim 18, Applicants have amended that claim to recite:

18. A computer readable medium for use in a computer system for balancing printing request loads, said computer readable medium comprising:

- logic configured to enable a printing request from a source to be received by a first destination;
- logic configured to generate a print queue corresponding to the printing request;
- logic configured to determine that the primary destination should not process the printing request of the print queue;
- logic configured to enable a secondary destination to be selected;
- logic configured to enable the print queue to be transmitted to the secondary destination, wherein the print queue includes information corresponding to the printing request; and*
- logic configured to enable information corresponding to the secondary destination to be transmitted to the source such that the source automatically sends data corresponding to the printing request to the secondary destination to facilitate printing.*

(Emphasis added).

Applicants respectfully assert that *Lobiondo* is legally deficient for the purpose of anticipating claim 18. In particular, Applicants respectfully assert that *Lobiondo* does not teach or otherwise disclose at least the features/limitations emphasized above in claim 18. In particular, *Lobiondo* clearly involves sending information from the scheduler 50 to a printer, in contrast to the source sending the data that is to be printed to the secondary destination. Therefore, Applicant respectfully asserts that claim 18 is in condition for allowance.

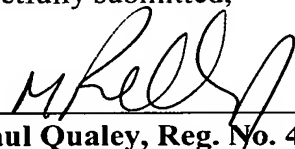
#### **Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

### CONCLUSION

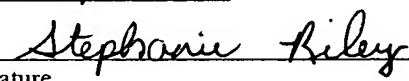
In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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